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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,678	08/21/2003	Anthony Olson	P1899US00	8297
32709	7590	08/07/2006	EXAMINER	
SUITER- WEST-SWANTZ PC LLC 14301 FNB PARKWAY SUITE 220 OMAHA, NE 68154-5299			DU, THUAN N	
			ART UNIT	PAPER NUMBER
			2116	

DATE MAILED: 08/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/645,678	OLSON, ANTHONY	
	Examiner Thuan N. Du	Art Unit 2116	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 21 August 2003.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-21 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____.   |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/21/03</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____.                                   |

**DETAILED ACTION**

1. Claims 1-21 are presented for examination.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, 9, 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Kobayakawa, Japan Pat. No. 05290662.

4. Regarding claim 1, Kobayakawa teaches a method for controlling utilization of an external power switch of an information handling system (1), comprising:

detecting an indication from a display closed switch of an information handling system;

[Fig. 2; paragraph 0006 of translation] and

disabling a transition from a first power state to a second power state from initiation by the external power switch of the information handling system when the detected indication of the display closed switch indicates that a display of the information handling system is closed [Figs. 2, 3; paragraphs 0005 and 0006 of translation].

5. Regarding claim 2, Kobayakawa teaches that the first power state is a power-off state and the second power state is a power-on state [paragraph 0005].

6. Regarding claim 3, Kobayakawa teaches the display closed switch includes

a locking member (4) disposed on at least one of a display portion of the information handling system and an input portion of the information handling system [Fig. 2]; and

a receptacle (5) disposed on at least one of a display portion of the information handling system and an input portion of the information handling system [Fig. 2];

wherein positioning of the locking member within the receptacle provides in the indication that the display of the information handling system is closed [paragraph 0006].

7. Regarding claims 9 and 10, they do not teach or further define over the limitations recited in the rejected claims above. Therefore, claims 9 and 10 are also rejected as being anticipated by Kobayakawa for the same reasons set forth in the rejected claims above.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 4-6, 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayakawa, Japan Pat. No. 05290662 in view of Hashimoto, U.S. Pub. No. 2003/0223190.

10. Regarding claims 4, 6, 11 and 13, Kobayakawa teaches that the information handling system may obtain at least two orientations (open and closed) but does not teach that the information handling system may obtain at least three orientations. Hashimoto teaches an information handling system may obtain at least three orientations (open, closed and tablet orientations) [Figs. 1-3, 10-12]. It would have been obvious to one of ordinary skill in the art at

the time of the invention to use the information handling system as taught by Hashimoto in place of Kobayakawa information handling system because it would increase the flexibility and convenience for the users.

11. Regarding claims 5 and 12, Kobayakawa teaches that the operation of the power switch is different from at least one other criterion [paragraph 0005].

12. Claims 7, 8, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayakawa, Japan Pat. No. 05290662.

13. Regarding claims 7, 8, 14 and 15, one of ordinary skill in the art would have recognized that a second criterion for utilization of the external power switch would obviously applicable in Kobayakawa to increase the flexibility of the system.

14. Claims 16-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayakawa, Japan Pat. No. 05290662 in view of Hashimoto, U.S. Pub. No. 2003/0223190.

15. Regarding claims 16-21, they do not teach or further define over the limitations recited in the rejected claims above. Therefore, claims 16-21 are also rejected as being unpatentable over Kobayakawa in view of Hashimoto for the same reasons set forth in the rejected claims above.

### ***Conclusion***

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuan N. Du whose telephone number is (571) 272-3673. The examiner can normally be reached on Monday-Friday: 9:30 AM - 6:00 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne H. Browne can be reached on (571) 272-3670.

Central TC telephone number is (571) 272-2100.

The fax number for the organization is (571) 273-8300.

17. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

TD  
July 27, 2006



THUAN N. DU  
PRIMARY EXAMINER